

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
AIR RESOURCES DIVISION
CONCORD, NH**

NOTICE OF PUBLIC HEARING

In accordance with N.H. Admin. Rule Env-A 204.01(b), notice is hereby given that the New Hampshire Department of Environmental Services, Air Resources Division, will hold a public hearing on proposed amendments to the NH Code of Administrative Rules on **Wednesday, December 15, 2004**. The public hearing will be held in Room 110, first floor of the offices of the Department of Environmental Services, 29 Hazen Drive, Concord, NH.

At **10:00 a.m. on Wednesday, December 15, 2004**, the Department will receive testimony from the public concerning **Env-A 1400, Regulated Toxic Air Pollutants**. Env-A 1400 implements RSA 125-I, the Air Toxic Control Act, which provides a detailed program for identifying and controlling regulated toxic air pollutants (RTAPs). The rule will expire on March 5, 2005, unless readopted prior to that date. The proposed rule readopts Env-A 1401 - 1413 with minor changes, and also updates the table of RTAPs in Env-A 1450.01 based on changes made to the list of chemical substances by the American Conference of Governmental Industrial Hygienists (ACGIH) in 2004 and on changes made by EPA to the reference concentrations (RfC) for three RTAPs.

Testimony may be presented orally and/or in writing at the public hearing. The Department will receive written comments on the proposed rules until **4:00 p.m. on Monday, December 27, 2004**. Please submit written comments to Barbara Hoffman, Stationary Source Management Bureau Planning Manager, Air Resources Division, NH Department of Environmental Services, P.O. Box 95, Concord, NH 03302-0095, Fax (603) 271-7053.

Copies of all documentation pertaining to rulemakings for all air rules are available for inspection at the offices of the Air Resources Division at the address stated above. The proposed rule is also posted at www.des.state.nh.us/ard/prpsdrul.htm. Questions regarding the proposed rulemakings should be directed to Barbara Hoffman at (603) 271-7874.

Michael P. Nolin
Commissioner
NH Department of Environmental Services

Dated: November 5, 2004

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At **1:00 p.m. on Wednesday, December 15, 2004**, the Department will receive testimony from the public concerning **Env-A 1800: Asbestos Management and Control**. The existing rule implements RSA 141-E by establishing asbestos abatement standards and notification, recordkeeping, and fee requirements. It also incorporates by reference most of 40 CFR 61, Subpart M, the national emission standard for asbestos. The rule will expire on April 1, 2005 unless readopted prior to that time. Among the changes proposed for Env-A 1800 is that all of the definitions specifically related to asbestos will be moved from Env-A 101 to Env-A 1802. In addition, the section on right of entry, Env-A 1804.02, will be repealed since that authority is clearly defined in RSA 141-E:13. The additional requirement of a visual inspection to be performed by an independent industrial hygienist under Env-A 1805.08 prior to clearance testing should not create additional work for the industrial hygienists, as it is their standard practice to look for visible residue prior to conducting such testing.

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Copies of all documentation pertaining to rulemakings for all air rules are available for inspection at the offices of the Air Resources Division at the address stated above. The proposed rule is also posted at www.des.state.nh.us/ard/prpsdrul.htm. Questions regarding the proposed rulemaking should be directed to Barbara Hoffman at (603) 271-7874.

Michael P. Nolin
Commissioner
NH Department of Environmental Services

Dated: November 5, 2004